

**Third Judicial District**  
website: [www.the3rdjudicialdistrict.com](http://www.the3rdjudicialdistrict.com)

**District Judges**

**Administrative Judge**

**James C. Morfitt**  
1115 Albany Street  
Caldwell, ID 83605  
Ph: (208) 454-7371

*Reporter:* Kim Saunders  
1115 Albany Street  
Caldwell, ID 83605  
Ph: (208) 454-7364

**Stephen W. Drescher**  
P.O. Box 670  
Weiser, ID 83672  
Ph: (208) 414-1700

*Reporter:* Denece Graham  
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**Gregory M. Culet**  
1115 Albany Street  
Caldwell, ID 83605  
Ph: (208) 454-7370

*Reporter:* Yvonne L. Hyde Gier  
1115 Albany Street  
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Ph: (208) 454-7362

**Renae J. Hoff**  
1115 Albany Street  
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*Reporter:* Carole Walden  
1115 Albany Street  
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**Juneal C. Kerrick**  
1115 Albany Street  
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*Reporter:* Katherine J. Klemetson  
1115 Albany Street  
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Ph: (208) 454-7363

**Trial Court Administrator**

**Dan Kessler**  
1115 Albany Street  
Caldwell, ID 83605  
Ph: (208) 454-7360  
Fax: (208) 454-6626

**Magistrates**

**Adams County**

**James C. Peart**  
P.O. Box 48  
Council, ID 83612  
Ph: (208) 253-4233

*Clerk:* Michael Fisk  
P.O. Box 48  
Council, ID 83612  
Ph: (208) 253-4561  
Fax: (208) 253-1141

**Canyon County**

**Bradly S. Ford**  
1115 Albany Street  
Caldwell, ID 83605  
Ph: (208) 454-7365

**Gary D. DeMeyer**  
1115 Albany Street  
Caldwell, ID 83605  
Ph: (208) 454-7376

**Todd M. Joyner**  
120 9th Ave. South  
Nampa, ID 83651  
Ph: (208) 467-2171

**Frank P. Kotyk**  
1115 Albany Street  
Caldwell, ID 83605  
Ph: (208) 454-7376

**Robert M. Taisey**  
1115 Albany Street  
Caldwell, ID 83605  
Ph: (208) 454-7365

**James A. (J.R.) Schiller**  
1115 Albany Street  
Caldwell, ID 83605  
Ph: (208) 454-6612

*Clerk:* G. Noel Hales  
1115 Albany Street  
Caldwell, ID 83605  
Ph: (208) 454-6894

For court information:  
Ph: (208) 454-7570 (civil)  
(208) 454-7571 (criminal)  
Caldwell Fax: (208) 454-7525  
Nampa Ph.: (208) 467-2171  
Nampa Fax: (208) 466-0423

**Gem County**

**Gordon W. Petrie**  
415 E. Main, Room 300  
Emmett, ID 83617  
Ph: (208) 365-4221

*Clerk:* Susan K. Howard  
415 East Main  
Emmett, ID 83617  
Ph: (208) 365-4561  
Fax: (208) 365-6172

**Owyhee County**

**Thomas J. Ryan**  
P.O. Box 128  
Murphy, ID 83650  
Ph: (208) 495-2806

*Clerk:* Charlotte Sherburn  
P.O. Box 128  
Murphy, ID 83650  
Ph: (208) 495-2421  
Murphy Fax: (208) 495-1226  
Homedale Ph.: (208) 337-4540  
Homedale Fax: (208) 337-3035

**Payette County**

**William B. Dillon III**  
Payette County Courthouse  
1130 Third Ave. North  
Payette, ID 83661  
Ph: (208) 642-6019

**A. Lynne Krogh**  
Payette County Courthouse  
1130 Third Ave. North  
Payette, ID 83661  
Ph: (208) 642-6019  
Fax: (208) 642-6011

*Clerk:* Betty J. Dressen  
1130 Third Ave. North, Room 104  
Payette, ID 83661-2473  
Ph: (208) 642-6000

**Washington County**

**Gregory F. Frates**  
485 E. Third Street  
Weiser, ID 83672  
Ph: (208) 414-2232

*Clerk:* Sharon Widner  
P.O. Box 670  
256 East Court  
Weiser, ID 83672  
District: (208) 414-2092  
Fax: (208) 414-3925  
Magistrate: (208) 414-2232  
Fax: (208) 414-2335

**In the District Court of the Third Judicial District of the State of Idaho, In and  
For the Counties of Adams, Canyon, Gem, Owyhee, Payette,  
and Washington**

**District Court Rules**

1. Law and Motion days are fixed in each county as follows:

County	When/Date	Time
Adams County	First Monday of each month	10 a.m.
Canyon County	Each Friday	Criminal Matters: 9 a.m. Civil Matters: 1:30 p.m.
Gem County	Second and Fourth Monday each month	9 a.m.
Owyhee County	Second Friday each month	9:30 a.m. Culet 9 a.m. Morfitt
Payette County	First and Third Friday each month	1:30 p.m. - Civil 9:00 a.m. - Criminal
Washington County	Second and Fourth Monday each month	1:30 p.m.

2. **Civil Trial Settings.** District Court civil cases will be set as follows:

A party desiring to have a cause placed on the trial calendar and set for trial and/or pretrial shall, file with the Clerk of the Court in which the case is pending, and serve on adverse counsel and the Administrative Judge in Chambers in Caldwell, Idaho, either personally or with the following form:

In the District Court of the Third Judicial District of the State of Idaho,  
in and for the County of \_\_\_\_\_

Plaintiff,                                 )  
  )  
vs.    )  
  )  
Defendant                                 )

Civil No. \_\_\_\_\_  
Request For Trial  
and/or  
PreTrial Setting

1. Type of Action \_\_\_\_\_
2. Court or jury case \_\_\_\_\_
3. Jury timely demanded according to Rule 38(b) I.R.P.C. \_\_\_\_\_
4. Name and address of opposing counsel \_\_\_\_\_

5. Estimated trial time (days) \_\_\_\_\_
6. Trial dates NOT available to counsel requesting setting \_\_\_\_\_

7. Name of member or firm or associate who will try the case: \_\_\_\_\_
8. If a jury case, have parties agreed on less than 12 jurors? \_\_\_\_\_, If yes, how many? \_\_\_\_\_
9. PreTrial requested \_\_\_\_\_

The undersigned certifies that the above entitled case is at issue as to all parties, that a copy hereof was served on the Administrative Judge (personally) (by mail), on the \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and requests the same be set for (trial) (pretrial).

10. Comments \_\_\_\_\_

Dated this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(Name of Attorney)

Attorney for \_\_\_\_\_

Residing at \_\_\_\_\_, Idaho.

If adverse counsel concur with the statements contained in said request, no further action need be taken and the case will be considered for setting by the Court as requested. In the event adverse counsel do not concur in the statements contained in said request or desire to advise the Court of trial and/or pretrial dates unavailable to them, said adverse counsel shall, within 5 days of the service of the request upon them, file with the clerk and serve upon requesting counsel and the Administrative Judge at Chambers in Caldwell, Canyon County, Idaho, a response to request for trial and/or pretrial setting in the following form:

In the District Court of the Third Judicial District of the State of Idaho, in  
and for the County of \_\_\_\_\_

Plaintiff,                                 )  
  )  
vs.    )  
  )  
Defendant.                                 )

Civil No. \_\_\_\_\_  
Response to  
Request for Trial  
and/or  
PreTrial Setting

1. The undersigned does not concur in the statements contained in the Request for Trial and/or Pretrial Setting heretofore filed and served herein for the following reasons and in the following particulars: \_\_\_\_\_
  2. Name of members of firm or associate who will try case if set for Trial and/or PreTrial \_\_\_\_\_.
- Trial date **NOT** available to responding counsel \_\_\_\_.

The undersigned certifies that a copy hereof was served on the Administrative Judge (personally) (by mail) on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.  
Dated This \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
(Name of Attorney)

Attorney for \_\_\_\_\_

Residing at \_\_\_\_\_ Idaho.

Convenience of counsel will not be considered by the Court in setting of cases if the data concerning unavailability of trial dates is not furnished. If all pertinent data called for by the above forms is not furnished, the request and/or response will not be considered by the Court.

Cases shall be set for trial in chronological order according to date of mailing or delivery of the copy of the request to the Court.

A stipulation of counsel for all parties, containing all pertinent information required by the above request and response may be filed and served in lieu of said request and response.

**3. Criminal Trial Settings.** All District Court criminal cases will be set for trial at the time of entry of plea unless otherwise ordered by the Court.

### **Magistrate Court Rules**

1. In addition to the Magistrate Division Courts established at the County Seats of each county in this District, the following additional facilities for the following purposes are hereby established:

#### **Nampa Section**

120 9th Avenue South, Nampa, Idaho. Filing of traffic, misdemeanors and small claims only. \*Jury trials will be held in Caldwell, Idaho. \*Hearing of these matters and other case types as assigned by the Trial Court administrator.

#### **Homedale, Idaho**

All matters assigned to Magistrates. Jury trials will be held in Murphy, ID.

In addition to the above, Qualified bond personnel may be provided in Nampa, Caldwell, Parma, Homedale, Murphy, Emmett, Payette, Weiser, Council, and New Meadows, Idaho to accept written appearances, waivers of trial, pleas of guilty, collection of fines and forfeitures and to set bail in accordance with provisions of Idaho Rules of Criminal Procedure.

2. All magistrates shall meet together at the call of the Trial Court Administrator for the purpose of holding any necessary conferences relative to procedure or other problems affecting the operation of the Magistrate Courts.

3. Procedure for the cases brought on trial shall be the same as District Court Rule No. 2, except that copies of Requests for Trial and Responses shall be served on the Magistrate assigned to the case.

4. All Magistrates of the Third Judicial District are hereby assigned the matters specified in Idaho Code 1-2208 and Chapter 23, Title 1, Idaho Code and all additional matters as

permitted by Rule 82(c)(1)(a) I.R.P.C. and all proceedings under Title 15, Idaho Code, the Uniform Probate Code.

5. Jurisdiction to hold the hearings required by Idaho Code 32-202 to determine if minors are sufficiently developed mentally and physically to assume full marital duties is hereby assigned to all District Court magistrates within this District and Petitions for such hearings may be filed at any magistrate Court facility except those established for special purposes as set forth above in Rule 1, Magistrate Rules.

5A. All lawyer Magistrates are hereby assigned the additional jurisdiction as permitted by Rule 82(c), Idaho Rules of Civil Procedure as follows:

a. Civil actions where the amount of damages or value of the property claimed does not exceed \$10,000.

b. All adoption proceedings pursuant to Chapter 15, Title 16, Idaho Code, and all termination of parent-child relationships pursuant to Chapter 20, Title 16, Idaho Code, and all actions for change of name.

c. All proceedings for divorce, separate maintenance and annulment, including Order to Show Cause hearings and issuance of restraining orders; all proceedings pursuant to the Revised Uniform Reciprocal Enforcement of Support Act the Idaho Code Section 32-710A. District Judges may also hear and determine divorces at their discretion.

d. All proceedings to establish paternity pursuant to Chapter 11, Title 7, Idaho Code.

e. All proceedings under the Uniform Child Custody Jurisdiction Act, Chapter 10 of Title 5, Idaho Code.

6. Each Magistrate in this District is assigned power and jurisdiction to handle any matter in any county of this District within his jurisdiction in the event any of the resident Magistrates is ill or for any other reason unable or unavailable to attend to such matters.

7. The Trial Court Administrator shall be responsible for caseload management throughout the Third Judicial District.

Following is the schedule for Calendar Calls for District Courts and Magistrate Division and Law and Motion Days for Magistrate Division. (Law and Motion Days for District Court is in the District Court Rules for this District.)

### District Court Calendar Calls

County	When	Time
Adams	First Monday in March	10:00 a.m.
	First Tuesday in September	10:00 a.m.
Canyon	AS NEEDED	
Gem	Second Monday in March & September	9:30 a.m.
Owyhee	Second Friday in March & September	9:30 a.m.
Payette	First Friday in March & September	9:30 a.m.
Washington	Second & Fourth Monday of each month	1:30 p.m.

### Magistrate Division Calendar Calls

County	When	Time
Adams	First Friday in March & September	10:00 a.m.
Canyon	Last Thursday of each month	Civil 9:30 a.m. Criminal 1:30 p.m.
Gem	First Monday in March	9:30 a.m.
	First Tuesday in September	9:30 a.m.
Owyhee	AS NEEDED	
Payette	Second Tuesday in March & September	9:30 a.m.
Washington	First & Third Wednesday each month	9:30 a.m.

### Magistrate Division Law and Motion Days

County	When	Time
Adams	First Friday each month	10:00 a.m.
Canyon - Caldwell	Each Thursday	9:00 a.m.
Canyon - Nampa	Each Monday	9:30 a.m.
Gem	First & Third Monday each month	9:30 a.m.
Owyhee - Criminal	Each Monday	1:30 p.m.
Owyhee - Civil	First & Third Thursday each month	1:30 p.m.
Payette	Second & Fourth Tuesday each month	9:30 a.m.
Washington	First & Third Wednesday each month	9:30 a.m.